

Senate File 2242 - Introduced

SENATE FILE 2242
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SF 2101)

A BILL FOR

1 An Act relating to children in out-of-home placements in
2 accordance with a court order.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.108, Code Supplement 2011, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 8. The department shall report annually
4 by December 15 to the governor and general assembly regarding
5 the status of the efforts made by the department and others
6 involved with the child welfare system in the previous
7 fiscal year to comply with the requirements of this section
8 regarding sibling placements and visitation, or other ongoing
9 interaction.

10 Sec. 2. Section 232.117, subsection 6, Code 2011, is amended
11 to read as follows:

12 6. a. If the court orders the termination of parental
13 rights and transfers guardianship and custody under subsection
14 3, the court shall specify the nature and category of
15 disposition which will serve the best interests of the child,
16 and shall prescribe the means by which the placement shall
17 be monitored by the court, which may be in addition to the
18 reporting requirements under paragraph "b". If the court orders
19 the transfer of custody to the department of human services
20 or other agency, facility, or institution for placement, the
21 department or other agency shall make every reasonable effort
22 to place the child in the least restrictive, most family-like,
23 and most appropriate setting available, and shall consider
24 the placement's proximity to the school in which the child
25 is enrolled at the time of placement. If the termination
26 order applies to a sibling of the child or the child has a
27 sibling, the department or other agency shall comply with the
28 requirements of section 232.108, regarding sibling placement
29 and visitation or ongoing interaction while a permanent
30 placement is being established.

31 b. The guardian shall submit a case permanency plan to
32 the court and shall make every effort to establish a stable
33 placement for the child by adoption or other permanent
34 placement. Within forty-five days of receipt of the
35 termination order, and every forty-five days thereafter until

1 the court determines such reports are no longer necessary, the
2 guardian shall report to the court regarding efforts made to
3 place the child for adoption or providing the rationale as to
4 why adoption would not be in the child's best interest.

5 EXPLANATION

6 This bill relates to children in out-of-home placements in
7 accordance with a court order.

8 Code section 232.108, relating to court-ordered out-of-home
9 placements of a child and requiring efforts to place siblings
10 together or provide for visitation or other ongoing interaction
11 with siblings during an out-of-home placement, is amended. The
12 amendment requires the department of human services to report
13 annually by December 15 to the governor and general assembly
14 regarding the status of the efforts made by the department
15 and others involved with the child welfare system in the
16 previous fiscal year to comply with the requirements of the
17 Code section.

18 Code section 232.117, relating to the disposition of a
19 child when termination of parental rights has been ordered,
20 is amended. The amendment includes requirements similar to
21 those applicable when an out-of-home placement is ordered in
22 a child in need of assistance proceeding under Code chapter
23 232. The court is required to specify the nature and category
24 of disposition which will serve the best interests of the
25 child, and to prescribe the means by which the placement will
26 be monitored by the court, which may be in addition to the
27 reporting requirements in current law. If the court orders
28 the transfer of custody to the department of human services
29 or other agency, facility, or institution for placement, the
30 department or other agency is required to make every reasonable
31 effort to place the child in the least restrictive, most
32 family-like, and most appropriate setting available, and to
33 consider the placement's proximity to the school in which the
34 child is enrolled at the time of placement. In addition,
35 if the termination order applies to a sibling of the child

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1 or the child has a sibling, the department or other agency
2 is required to comply with the requirements of Code section
3 232.108, regarding sibling placement and visitation or ongoing
4 interaction while a permanent placement is being established.